

Message Text

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PAGE 01 STATE 096407

62

ORIGIN COME-00

INFO OCT-01 NEA-14 ISO-00 EB-11 TRSE-00 CIAE-00 INR-10

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P 092202Z MAY 74

FM SECSTATE WASHDC

TO AMEMBASSY TRIPOLI PRIORITY

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EO11652 NA

TAGS: ETRD, LY

SUBJ: DOING BUSINESS IN LIBYA

REF: TRIPOLI A-92, JUNE 15, 1972

1. SOME QUESTIONS HAVE ARISEN OVER LARG POLICIES CONCERNING REQUIREMENTS ON PERFORMANCE BONDS FOR FOREIGN COMPANIES MAKING SALES TO LIBYAN FIRMS AND ORGANIZATIONS. SECTION ON PERFORMANCE BONDS IN ENCLOSURE TO REFAIR (ITEM 3, PAGE 2) NOTES: "IT IS APPROPRIATE TO REQUIRE A STATEMENT CONCERNING THE CONDITIONS UNDER WHICH CLAIMS CAN BE MADE AGAINST THE BOND". HOWEVER, SOME AMERICAN COMPANIES CURRENTLY ENGAGED IN SALES CONTRACT NEGOTIATIONS WITH LARG HAVE REPORTEDLY BEEN INFORMED THAT NO CONDITIONS MAY BE ATTACHED TO CLAIMS AGAINST PERFORMANCE BONDS WHICH COVER SALES TO LIBYAN STATE AGENCIES OR STATE ENTERPRISES. THUS LIBYAN PARTY WOULD BE FREE TO MAKE UNRESTRICTED CLAIMS AGAINST ANY SUCH BOND.

2. SINCE AT LEAST ONE COMPANY IS DELAYING SIGNING MAJOR CONTRACT WITH LARG AGENCY PENDING CLARIFICATION ON PERFORMANCE

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BOND MATTER, EMBASSY'S COMMENTS BY PRIORITY CABLE WOULD BE

APPRECIATED ON WHETHER INFO IN REFAIR STILL VALID.

RUSH

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Message Attributes

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